

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IMRAN KHAN, et al.,

*Plaintiffs,*

v.

Case No. 7:20-cv-07561

BOARD OF DIRECTORS OF PENTEGRA  
DEFINED CONTRIBUTION PLAN, et al.,

*Defendants.*

**PLAINTIFFS' MOTION TO PROVISIONALLY SEAL**

In accordance with the Court's Individual Practice 5(B), Plaintiffs seek leave to file under seal the Expert Report of James Scheinberg attached to the Plaintiffs' Motion in Limine as Exhibit 1.

In support of this Motion, Plaintiffs state that Exhibit 1 to Plaintiffs' Motion in Limine was produced by Defendants and has been designated by Defendants as Confidential pursuant to the terms of the Protective Order in this matter (Doc. 121). Plaintiffs request that the Court provisionally seal this document to provide Defendants an opportunity to submit a brief in response to this Motion as to whether they maintain confidentiality over the entirety of the document or with redactions.

For these reasons, Plaintiffs respectfully request that the Court grant Plaintiffs' Motion to Provisionally Seal Exhibit 1 to Plaintiffs' Motion in Limine.

Application to provisionally seal Doc. 217-1 granted. By May 13, 2024, Defendants shall file a letter setting forth their position concerning the propriety of wholesale sealing of the document.

SO ORDERED.



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
May 6, 2024

Dated: May 3, 2024

/s/ Troy A. Doles  
SCHLICHTER BOGARD LLP  
Troy A. Doles\*  
Kurt C. Struckhoff\*  
Nathan D. Stump\*  
Heather Lea\*  
Jerome J. Schlichter\*  
100 South Fourth Street, Suite 1200  
St. Louis, Missouri 63102  
Telephone: (314) 621-6115  
Facsimile: (314) 621-5934  
tdoles@uselaws.com  
kstruckhoff@uselaws.com  
nstump@uselaws.com  
hlea@uselaws.com  
jschlichter@uselaws.com  
\*admitted *pro hac vice*

*Class Counsel for All Plaintiffs*

### **CERTIFICATE OF SERVICE**

I hereby certify that, on May 3, 2024, a copy of the foregoing was filed electronically using the Court's CM/ECF system, which will provide notice of the filing to all counsel of record.

By: /s/ Troy A. Doles  
Troy A. Doles